

COST SHARE AGREEMENT
Between the
USDA FOREST SERVICE, BEAVERHEAD-DEERLODGE NATIONAL FOREST
And
MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION, on behalf of
Beaverhead County

The purpose of this agreement is to provide for a coordinated cooperative fire suppression operation on this fire and to describe the cost division. Following is the cost share agreement between the agencies identified above as negotiated for the following incident in accordance with the **Statewide Cooperative Fire Protection Agreement #05-FI-11015600-14** executed between the parties on 3/10/05.

Incident Name: **RAT CREEK FIRE**

<u>Origin:</u>	<u>County:</u>	<u>Lat:</u>	<u>Long:</u>
	Beaverhead	45.73266	113.83258

Estimated Size:
78575 WFS Acres, final Fire size 25,327 acres as of 10/2/07

Incident Start Date and Time: August 9, 2007 @ approximately 1900 hours

Jurisdictions: USDA Forest Service, Beaverhead-Deerlodge National Forest
Beaverhead County
USDI, Park Service, Big Hole National Battlefield

Incident Cause: Lightning

Incident Numbers by Agency:

Agency	Fire #	Accounting Code
Forest Service	MT-BDF-000113	P1DV2A
MT DNRC		87173

Cost Share Period: This agreement becomes effective on the start date of the fire and will remain in effect until the fire is controlled.

Command Structure: Overall direction of this incident will be by a **Single Command** structure.

Principal Contacts. The following personnel are the principal contacts:

Position	Name	Agency
Incident Commander - Wisdom FMO	Diane Hutton	Beaverhead-Deerlodge NF
Agency Administrative Rep.	Bruce Ramsey	Beaverhead-Deerlodge NF
Agency Administrative Rep	Garry Williams	MT DNRC Central Land Office
Incident Business Advisor	Paul Rose/Peri Suenram	Beaverhead-Deerlodge NF

Agency representatives participating in the development of this cost share agreement:

Forest Service – Beaverhead-Deerlodge NF	MT DNRC on behalf of Beaverhead County
Name: Dave Pieper	Name: Garry Williams
Title: Agency Admin. Representative	Title: Agency Administrator

Structural Protection:

1. The USDA Forest Service has protection responsibility on those private lands paid through affidavit agreements with the Beaverhead-Deerlodge National Forest.
2. Beaverhead County has protection responsibility for private lands not signed up for affidavit protection.
 - a. DNRC, through a signed County Cooperative Assistance request, agrees to assume 4 % of the overall fire cost to offset costs of structure protection provided by Incident Management for the dates listed in this agreement.

PROTECTING ENTITIES & RESPONSIBILITIES

Entity & Location of Protection	Wildland Fire Responsibility (Yes or No)	Structure Protection Responsibility (Yes or No)	Structure Suppression Responsibility (Yes or No)
Beaverhead-Deerlodge NF and private affidavit lands	Yes	Yes	No
Wisdom Volunteer Fire Department	Yes	Yes	Yes
Beaverhead County – including non-affidavit private lands	Yes	Yes	No

Special Management Operational Conditions: This cost share agreement between the parties was prepared under the following guidelines:

1. In accordance with the terms of the Montana Cooperative Fire Protection Agreement.
2. No direct wildland suppression action will be taken on the Big Hole National Battlefield. Structure protection operations, or structure suppression by County resources will be allowed.

Basis or Rationale for Cost Share:

The cost share will be based on a percentage of protection responsibility acres within the area defined by the WFSA boundary which includes the private lands west of the contingency line (2769 acres), the estimated acreage of B-D lands which could be burned if the fire reaches the WFSA lines (56,771 acres) and the current acreage of lands burned by the fire on Beaverhead – Deerlodge National Forest Jurisdiction. The costs to be shared include all costs associated with management of the incident. The decision was made to use acreage determined by the WFSA boundary rather than the actual acreage burned in each agency's protection responsibility of protection because:

- 1) Due to values at risk associated with protecting structures and ranch buildings on private lands the cost of suppression was greater than a straight percentage of the area burned on County Protection (1.72%)
- 2) As a result of strategic decisions, suppression actions were conducted by the USFS in advance of the fire burning onto County Protection and intermittently throughout the incident as the threat to private lands increased or decreased with fire behavior. Consequently, it is very difficult to determine the cost of resources associated with protecting either USFS or County responsibility.
- 3) The WFSA was used as a strategic planning tool and Line Officers for the respective agencies agree it represents a fair percentage of costs associated with the Incident. See attached map with cost share table.
 - a. USFS - 96 % (USFS, and Affidavit Private Lands)
 - b. MT DNRC - 4 % (Private Lands)

Other conditions relative to this agreement (Special conditions, standard clauses, notifications, incident information, etc.)

- 1) Costs for nonexpendable property purchases by each agency will be charged directly to that agency and will not be shared.
- 2) Administrative overhead costs such as agency personnel, support and services, not directly assigned or ordered by the incident, will not be included as a part of this cost share agreement and will not be shared.
- 3) Costs incurred by cooperators not engaged in unified fire suppression activities will not be included as part of this cost share agreement.
- 4) All costs originating from orders placed by and for the incident that can be reasonably obtained and estimated for the cost share period will be included in this agreement and will be shared.
- 5) Agency-specific costs will not be shared.
- 6) Non-suppression rehabilitation costs are the responsibility of the jurisdictional agency and will not be shared.
- 7) Responsibility for tort claims costs or compensation for injury costs will not be a part of this agreement. Responsibility for these costs will be determined outside this agreement.

- 8) Daily cost sharing will be documented and approved by the Agency Administrators or their designated representatives.
- 9) Sharing of final actual costs between the agencies will be based on actual incident suppression costs and each agency's proportionate share thereof as agreed to by the protection agencies.
- 10) Large fire overhead support provided by an Area Command, Buying Team, Expanded Dispatch, Mobilization and Demobilization Centers and Transportation Centers will not be shared in this agreement.
- 11) Per the Montana Cooperative Fire Agreement billing procedures, the parties to this agreement will determine the total costs of each agency. Each agency will bill for their costs.

This Agreement and the apportionment described are our best judgments of fair and equitable Agency cost responsibilities.

Agency: USDA Forest Service, Beaverhead-Deerlodge National Forest
420 Barrett Street
Dillon, MT 59725

Signature: PEN R. SWENSON
for: Bruce Ramsey
Forest Supervisor

Date: 12.10.07

Agency: State of Montana – DNRC
Central Land Office

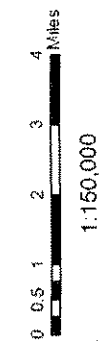
Signature: Garry Williams
Garry Williams, Area Manager
Central Land Office

Date: 12/7/07

Rat Creek Cost Share Agreement Map

Cost Share Table

US Forest Service Forest/BLM	75136 acres	95%
DNRC/Beaverhead County Assist	2769 acres	4%
US Park Service	670 acres	1%
Total Acres Defined by the WFSA	78575 acres	



Legend

- Rat Creek WFSA/Cost Share Boundary
- US Bureau of Land Management
- Montana State Trust Lands
- US Forest Service
- National Park Service
- Water - reserved/withdrawn by federal agency
- Private Land